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PTO/SB/30 (10/2001)

Approved for use through 10/31/2002 OMB 0651-0031

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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**Address to:  
Commissioner for Patents  
Box RCE  
Washington, DC 20231

Application Number	10/031,542
Filing Date	01/18/2002
First Named Inventor	Gebhardt
Art Unit	2881
Examiner Name	Phillip A. Johnston
Attorney Docket Number	46955.7 / 113737.7

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8.

1. **Submission required under 37 CFR §1.114**a. ☐ Previously submittedi. ☐ Consider the amendment(s)/reply under 37 CFR §1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_iii. ☐ Other \_\_\_\_\_b. ☒ Enclosedi. ☒ Amendment/Replyiii. ☐ Information Disclosure Statement (IDS)ii. ☐ Affidavit(s)/Declaration(s)iv. ☐ Other \_\_\_\_\_2. **Miscellaneous**a. ☐ Suspension of action on the above-identified application is requested under 37 CFR §1.103(c) for a period of \_\_\_\_\_ months (Period of suspension shall not exceed 3 months; Fee under 37 CFR §1.17(i) required)b. ☐ Other \_\_\_\_\_3. **Fees**

The RCE fee under 37 CFR §1.17(e) is required by 37 CFR §1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50 - 2194i. ☐ RCE fee required under 37 CFR §1.17(e) / 04/01/2005 SSESHE1 00000045 10031542ii. ☒ Extension of time fee (37 CFR §§1.136 and 1.17)

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395.00 OP

iii. ☐ Other \_\_\_\_\_b. ☒ Check in the amount of \$ 620.00 enclosedc. ☐ Payment by credit card (Form PTO-2038 enclosed)**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.****SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print / Type)

Mitchell D. Hirsch

Registration No. (Attorney / Agent)

54,170

Signature

Date

March 29, 2005

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark

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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

Attorney's Docket No. 46955.7 (113737.7)

*Patent*



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Gebhardt, et. al.	:	Group No.: 2881
	:	
Serial No.: 10/031,542	:	Examiner: Phillip A. Johnston
	:	
Filed: January 18, 2002	:	
	:	
For: Method and Device for Cluster Fragmentation	:	

**REQUEST FOR CONTINUED EXAMINATION UNDER 37 C.F.R. § 1.114**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Advisory Action mailed on March 10, 2005, which followed Applicant's response to the Office Action mailed on November 5, 2004 in the subject application, Applicants respectfully submit the following amendments and remarks along with a Request for Continued Examination and a petition for a two-month extension of time.

**Amendments to the Claims** are reflected in the Listing of Claims, which begins on page **2** of this paper.

**Remarks and Arguments** begin on page **8** of this paper.

**Authorization and Petitions** begin on page **14** of this paper.